

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WILLIAM AYRES : CIVIL ACTION

v. : .

COMMONWEALTH OF :  
PENNSYLVANIA, et al : NO. 10-1781

**ORDER**

AND NOW, this 12th day of August, 2010, upon consideration of the Petition for Writ of Habeas Corpus (Document No. 1), the Report and Recommendation filed by United States Magistrate Judge Timothy R. Rice, the petitioner's objections to the Report and Recommendation, and after a thorough and independent review of the record, it is

**ORDERED** that:

1. The petitioner's objections are **OVERRULED**;
2. The Report and Recommendation of Magistrate Judge Rice is **APPROVED** and **ADOPTED**;
3. The Petition for Writ of Habeas Corpus is **DISMISSED WITHOUT PREJUDICE**; and,
4. There is no probable cause to issue a certificate of appealability.

/Timothy J. Savage  
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TIMOTHY J. SAVAGE, J.